

## REMARKS

### I. Status of the Claims

Claims 1-5, 9-10, 12-29, 32-41, 46-50, 52-66, and 68-79 are pending in the application.

Claims 1, 20, 32, 46, 65, and 66 are amended. Claim 80 is added.

### II. Telephone Interview

Applicants thank the Examiner for conducting a telephone interview on March 5, 2008.

During the Interview, the invention described by claim 65 was discussed in light of Katinsky, and a proposed claim amendment was discussed. The Examiner agreed that amending the claim to make it clear that the claimed “first page” and “second page” are displayed during a single “session” would distinguish the claim from Katinsky.

In addition, the invention described by claim 1 was discussed in light of Katinsky and Girouard, and a proposed claim amendment was discussed. The Examiner agreed that amending the claim to clarify the relationship between the claimed “second indicators” displayed in the claimed “second region” and the claimed “first indicators” would distinguish the claim from the cited combination (Katinsky and Girouard).

Also, the invention described by claim 32 was discussed in light of Katinsky and Smith. The Examiner agreed that Smith did not appear to show the claimed “second indicator” displayed in the claimed “second region.”

### III. Claim Rejections - 35 USC § 102

Claims 65, 75 and 76 have been rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent No. 6,452,609 (“Katinsky”). Claim 65 is amended and the rejection is respectfully traversed.

#### Claim 65

Independent claim 65 has been amended as discussed in the Interview.

Independent claim 65 defines a method for presenting to a user media segments in an order selected by the user. Claim 65 requires, in part, “displaying, in a first region of a first page shown on a display device, a plurality of first indicators each representative of a respective one of a plurality of information segments selected from a database” and “receiving from the user selections of individual information segments from among the plurality of information segments represented by the displayed first indicators, each of the user selected information segments being represented by respective second indicators, the second indicators being different from the corresponding information segments and first indicators.” Claim 65 has been amended to require “displaying, on a second page shown on the display device, one or more additional first indicators each representative of a respective one of the plurality of information segments, in response to a selection by the user of an option, displayed on the first page, to display additional first indicators.” Support for the amendments to page 65 is found at page 13, lines 13-18, and in Fig. 2, for example.

Katinsky discloses a web page containing a player for playing media objects, and a sequencer displaying a play list which has an order in which media objects are played by the player. (Abstract). A media icon access panel displays a series of subject matter tabs, one or

more of which a user can select to browse media icons related to the selected subject. (Col. 4, lines 26-33; Fig. 1). When a subject matter tab is selected, the top level of a hierarchical outline appears containing bulleted items. (Col. 4, lines 26-33). (The outline is presumably predetermined and pre-stored in memory. The precise manner in which the outline is generated is not described.) Clicking the text of a bulleted item causes the next level of the outline to appear within the media icon access panel. (Col. 4, lines 37-45). Clicking on a bulleted item in a sublist causes the next lower level of the outline to be displayed. (Col. 4, lines 37-45). The lowest level of the outline includes a list of media icons each representing a media object. (Col. 4, lines 50-56). Each media icon comprises a graphic icon and text to explain the content of the media object. (Col. 4, lines 50-56).

A user can create a play list of media icons by dragging media icons from the hierarchical outline in the media icon access panel into a play list box displayed on the web page. (Col. 5, lines 1-8; Fig. 3A). The user can modify the order of media icons in the play list by dragging the media icon copy inside the play list box. (Col. 5, lines 16-20).

Katinsky also allows a user to save a “session state” between visits, so that when a user returns to the site, the content present when the user ended the previous session will be available to the user. (Col. 8, lines 25-30).

As discussed during the Interview, Katinsky does not teach or suggest “displaying, on a second page shown on the display device, one or more additional first indicators each representative of a respective one of the plurality of information segments, in response to a selection by the user of an option, displayed on the first page, to display additional first indicators,” as required by amended claim 65. While a user can save content between sessions in Katinsky, the content is not retrieved and made available to the user during the second session

“in response to a selection by the user of an option, displayed on the first page, to display additional first indicators,” as claimed.

None of the other cited art teaches or suggests the combination of claim 65, either. Therefore, claim 65 and its dependent claims are patentable over the cited art. The dependent claims include allowable subject matter, as well.

#### Claims 75-76

Claims 75-76 depend from claim 65. For the reasons set forth above, claim 65 is patentable over the cited art. Therefore, claims 75-76 are also patentable over the cited art.

### **IV. Claim Rejections - 35 USC § 103**

#### **A. Claims 1-3, 9, 10, 12-15, 19-22, 25-29, 46-48, 52-56, 60-64, and 68-74**

Claims 1-3, 9, 10, 12-15, 19-22, 25-29, 46-48, 52-56, 60-64, and 68-74 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of U.S. Patent No. 7,222,163 (“Girouard”). The rejection is respectfully traversed.

Katinsky is discussed above. Girouard discloses a system and method for providing a video delivery service over a network. In a disclosed example, cited by the Examiner, a user accesses a search form on a web page. (Col. 13, lines 15-16). The user issues a query to search for a video by typing in a keyword (or keywords). (Col. 13, lines 19-20). A server identifies video clips matching the query. (Col. 13, lines 22-24). Query results are presented to the user on a portion of a new web page consisting of metadata elements of each retrieved video clip. (Col. 13, lines 24-30). The user may access one or more of the displayed videos by selecting a link in the search results web page. (Col. 13, lines 37-39).

Claim 1

Independent claim 1 has been amended as discussed during the Interview.

Claim 1 defines a method for providing a user with media segments in an order selected by the user. Claim 1 requires, in part, “displaying, in a first region of a display device, a plurality of first indicators each representative of a respective one of a second plurality of information segments selected from the first plurality of stored information segments,” and “allowing the user to select information segments from among the information segments represented by the displayed first indicators.” Claim 1 has been amended to require “displaying in a second region of the display device different from the first region, second indicators representing the respective information segments selected by a the user from among the information segments represented by the displayed first indicators.” Claim 1 further requires “allowing the user to select a plurality of the second indicators for placement into a third region different from the second region,” and “displaying in a sequence, in the third region, third indicators corresponding to the selected second indicators.”

Independent claim 46 is a system claim that corresponds to claim 1, and has been amended in a similar manner.

The Office Action appears to acknowledge that Katinsky does not teach displaying the claimed “second indicators” in the claimed “second region,” but alleges that Girouard does.

As mentioned above, claims 1 and 46 have been amended as discussed in the Interview to clarify the relationship between the “first indicators” of the “first region” and the “second indicators” of the “second region.” As the Examiner agreed during the Interview, neither Katinsky nor Girouard teaches or suggests the claimed “first region,” “second region” and “third region” of amended claims 1 and 46.

In amended claims 1 and 46, the claimed “second indicators” specifically represent the information segments which the user selects “from among the information segments represented by the displayed first indicators.” Girouard does not teach or suggest this. Girouard merely displays query results and allows a user to access a video clip from among the query results by clicking on a desired result. Girouard does not teach or suggest a “second region” displaying “second indicators” representing the particular query results selected by the user, as claimed.

None of the other cited art teaches or suggests the combination of amended claims 1 and 46, either. Therefore, amended claims 1 and 46, and their respective dependent claims, are patentable over the cited art. The dependent claims include allowable subject matter, as well.

#### Claim 20

Independent claim 20 defines a method for presenting to a user media segments in an order selected by the user. Claim 20 requires “displaying, in a first region of a display device, a plurality of first indicators each representative of a respective one of a plurality of information segments selected from a database, the selected information segments relating to at least one topic selected by a user or by the system,” “allowing a user an option to view a transcription of an audio portion of a selected information segment” and “receiving from the user selections of the one or more information segments represented by respective first indicators displayed in the first region.” Claim 20 also requires “displaying, in a second region of the display device different from the first region, second indicators representing the respective information segments selected by the user, the second indicators having a sequence corresponding to an order in which information segments are selected by the user” and “allowing the user to select a second indicator in the sequence and change the position of the selected second indicator with respect to

the other second indicators in the sequence.” Claim 20 has been amended to require “allowing the user to select a plurality of the second indicators for placement into a third region different from the second region” and “displaying in a second sequence, in the third region, third indicators corresponding to the selected second indicators.” Claim 20 further requires “presenting the user selected information segments represented by the respective third indicators in the second sequence in the same order as the respective second indicators in the second sequence.”

For the reasons set forth above with respect to claims 1 and 46, none of the cited art teaches or suggests displaying the claimed “first indicators” in the claimed “first region,” the claimed “second indicators” in the claimed “second region,” and the claimed “third indicators” in the claimed “third region,” as required by amended claim 20. Therefore, amended claim 20 and its dependent claims are patentable over the cited art. The dependent claims include allowable subject matter, as well.

**B. Claims 32-41, 66 and 77-79**

Claims 32-41, 66 and 77-79 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of U.S. Patent No. 6,615,248 (“Smith”). Claims 32 and 66 are amended and the rejection is respectfully traversed.

Katinsky is discussed above. Smith discloses a method and system for enabling content from a plurality of content sources to be searched, displayed, and accessed for consumption. (Abstract). In a disclosed example shown in Fig. 4, cited by the Examiner, a page shown on a display device includes a “page index area 450” and a “search results area 420.” The “page index area 450” includes user selectable links to pages relating to various subjects, such a TV,

games, or music. (Col. 7, lines 46-65). When a user can conduct a search relating to a selected category, such as radio stations, search results are displayed in the search results area 420. (Col. 7, line 63 - col. 8, line 1). The user can make selections from the displayed search results; the selections are added to a list of user preferences (favorite radio stations). (Col. 8, lines 1-3). Subsequently, the list of favorite radio stations is displayed in the search results area 420. (Col. 8, lines 3-5).

In another disclosed example, discussed during the Interview, the system of Smith is capable of analyzing user habits in conducting searches to identify patterns. (Col. 10, lines 41-45). When a pattern is identified, the system may create a link to the “default category page links 451” containing preferences of the user. (Col. 10, lines 43-47). While the description of this feature is not clear or complete, the “default category page link” function appears to create an additional category link (presumably displayed in the “page index area 450”) to a “default category page” (shown in the search results area 420) which would contain further links to the user’s preferred search results. Smith provides a brief example using a user’s “favorite news locations,” where a category link such as “favorite news locations” is displayed, in the page index area 450, and link to a page of favorite search results relating to news locations (displayed in the search results area 420).

#### Amended Claims 32 and 66

Independent claims 32 and 66 have been rejected over Katinsky and Smith. The Examiner appears to have used similar reasoning in the rejecting each of these claims. As stated above, claims 32 and 66 are amended and the rejection is respectfully traversed.



Independent claim 32 defines a method for presenting to a user media segments in an order selected by the user. Claim 32 requires, in part, “receiving from a user a request to perform a search and one or more search terms,” “searching a database in response to the request,” and “displaying, in a first region of a first page of a display device, a plurality of first indicators each representative of a respective one of a plurality of information segments retrieved from the database that includes at least one of the one or more search terms.” Claim 32 has been amended to require “displaying, in a second region of the first page of the display device different from the first region, a list comprising at least a second indicator representative of a respective information segment selected by the user from the first region.”

The combination of Katinsky and Smith fails to teach or suggest “displaying, in a second region of the first page of the display device different from the first region, a list comprising at least a second indicator representative of a respective information segment selected by the user from the first region,” as required by amended claim 32. The Examiner acknowledges that Katinsky does not show this limitation. (Office Action, page 15).

Smith also does not teach or suggest this limitation. As discussed in the Interview, the Examiner appears to view the additional category “link” to a “default category page” containing preferences of the user, discussed above, as the claimed “second indicator.” The applicants respectfully submit that this is not correct. The additional category “link” connects to, and therefore represents, a “default category page” (a favorites page). It is not the claimed “second indicator” which is displayed in the claimed “second region” and is “representative of a respective information segment selected by the user from the first region (displayed search results)” as claimed. This is clear from Smith’s own example concerning a user’s favorite news locations. If the user’s favorite news locations were to change, then the category link to “favorite

news locations” (links to favorite news websites) would remain in the page index area 450, because it is not tied to (representative of) any “respective” information segment. However, the particular links to the user’s favorite news locations shown on the favorite’s page, shown in the search results area 420, would change. The favorites page itself does not include “second indicators,” as claimed, either, because the favorites page is displayed in the search results area 420, not in the “second region,” as claimed.

Independent claim 66 defines a method for providing a user with media segments in an order selected by the user, and has been amended in a manner analogous to claim 32. Accordingly, the arguments set forth above with respect to claim 32 are equally applicable to amended claim 66. For example, while the Examiner alleges that the combination of Katinsky and Smith discloses “displaying in the third region, in response to each selection of a descriptor, a first indicator comprising at least a respective text indicative of the respective video file corresponding to the selected descriptor,” the applicants respectfully disagree for the same reasons set forth above with respect to amended claim 32.

None of the other cited art teaches or suggests the combination of amended claims 32 and 66, either. Therefore, amended claims 32 and 66, and their respective dependent claims, are patentable over the cited art. The dependent claims include allowable subject matter, as well.

**C. Claims 4-5, 16-18, 23-24, 49-50 and 57-59**

Claims 4-5, 16-18, 23-24, 49-50 and 57-59 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of Girouard in further view of U.S. Patent No. 6,263,507 (“Ahmad”). The rejection is respectfully traversed.

Claims 4-5 and 16-18 depend from amended independent claim 1. Claims 23-24 depend from amended independent claim 20. Claims 49-50 and 57-59 depend from amended independent claim 46. For the reasons set forth above, amended claims 1, 20, and 46 are patentable over the cited art. Therefore, claims 4-5, 16-18, 23-24, 49-50 and 57-59 are also patentable over the cited art. The dependent claims include allowable subject matter, as well.

#### **V. New Claim 80**

New Claim 80 defines a method for presenting to a user media segments in an order selected by the user. Claim 80 requires, in part, “displaying, in a first region of a first page shown on a display device, a plurality of first indicators each representative of a respective one of a plurality of information segments selected from a database” and “receiving from the user selections of individual information segments from among the plurality of information segments represented by the displayed first indicators, each of the user selected information segments being represented by respective second indicators, the second indicators being different from the corresponding information segments and first indicators.” Claim 80 also requires “displaying simultaneously with at least one of the plurality of first indicators, in a second region of the first page different from the first region, a list comprising the second indicators corresponding to the user selected information segments, in response to the selection of each individual information segment, the second indicators being displayed in a sequence within the list corresponding to an order in which the information segments are selected” and “displaying, on a second page shown on the display device, one or more additional first indicators each representative of a respective one of the plurality of information segments, the one or more additional first indicators being

available only on the second page.” Support for new claim 80 is found at pages 12-13, for example.

In accordance with the method of claim 80, search results are displayed one page at a time. A second set of search results may be obtained by calling up a “second page” (not by scrolling). The user’s list of “indicators” is carried over from page to page.

Neither Katinsky nor any of the other cited art teaches or suggests “displaying, on a second page shown on the display device, one or more additional first indicators each representative of a respective one of the plurality of information segments, the one or more additional first indicators being available only on the second page,” as required by claim 80. (Emphasis added). In Katinsky all of the content in the entire outline is available to the user during any given “session.” Thus, while Katinsky allows a user to save and later recover content used in a first “session” for use in a second “session,” Katinsky does not disclose making available additional content during the second session that is unavailable during the first session, as claimed. Therefore, new claim 80 is patentable over the cited art.

**VI. Conclusion**

In view of the foregoing, each of claims 1-5, 9-10, 12-29, 32-41, 46-50, 52-66, and 68-80, as amended, is believed to be in condition for allowance. Accordingly, reconsideration of these claims is requested and allowance of the application are respectfully requested.

Respectfully submitted,  
Kaye Scholer LLP

Date: March 21, 2008

By

A handwritten signature in black ink, appearing to read "Brandon N. Sklar", written over a horizontal line.

Brandon N. Sklar  
Reg. No. 31,667  
212-836-8653

Kaye Scholer LLP  
425 Park Avenue  
New York, New York 10022